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ABBREVIATIONS

CIA	Central Intelligence Agency
FBI	Federal Bureau of Investigation
FOIA	Freedom of Information Act
GAO	General Accounting Office
GSA	General Services Administration
ICRC	Interagency Classification Review Committee
ISOO	Information Security Oversight Office
NARS	National Archives and Records Service

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BY THE COMPTROLLER GENERAL

Report To The Congress

OF THE UNITED STATES

COMPLETED
ORIGINAL

Systematic Review For Declassification Of National Security Information-- Do Benefits Exceed Costs?

Executive Order 12065 specifies that Federal agencies review all classified records considered permanently valuable as they become 20 years old to determine if they can be declassified. However, most of the declassified records probably will not be requested by the public, and it is unlikely that the December 1988 deadline for completing the review will be met.

This report recommends that the order be modified to require that only those records be reviewed which are specifically requested by the public and those likely to be requested. The change would improve responsiveness and save money without changing the policy of openness in Government.

LCD-81-3
OCTOBER 15, 1980

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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-198348

To the President of the Senate and the
Speaker of the House of Representatives

This report describes the results of our review of the systematic declassification review program provided for in Executive Order 12065. The review was performed in the Washington, D.C., area, and is the third in a series of reports on the classification of national security information. Our first report, "Improved Executive Branch Oversight Needed for the Government's National Security Information Classification Program," was issued March 9, 1979. Our second report, "Continuing Problems in DOD's Classification of National Security Information," was issued October 26, 1979.

We are sending copies of this report to the Director, Office of Management and Budget; the Administrator of General Services; the Assistant to the President for National Security Affairs; the Attorney General; the Director, Central Intelligence Agency; and the Secretaries of Defense, Energy, and State.

Comptroller General
of the United States

B

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

SYSTEMATIC REVIEW FOR DECLASSIFICATION OF NATIONAL SECURITY INFORMATION--DO BENEFITS EXCEED COSTS?

D I G E S T

To provide greater openness in Government, Executive Order 12065 requires Federal agencies, primarily the National Archives and Records Service (NARS), to review all classified records, considered to be of permanent value, as they become 20 years old to determine if they can be declassified. One exception is foreign government information, which must remain classified until it becomes 30 years old.

The National Security Council is responsible for providing overall policy direction for agencies to use in implementing the order. The order makes the Administrator of General Services responsible for implementing and monitoring the classification program and directs him to delegate that responsibility to the Information Security Oversight Office within the General Services Administration. NARS is also within the General Services Administration.

GAO evaluated the review program at NARS, the Central Intelligence Agency, and the Departments of Defense, Energy, Justice, and State and found that:

--There is little chance that all 20-year-old classified records will be reviewed by the required December 1988 date.

--NARS inaccurately reported the results of its declassification reviews for several years.

--A review of only those records requested by the public and those expected to be requested would improve responsiveness to public requests and would reduce costs.

Tear Sheet. Upon removal, the report cover date should be noted hereon.

1988 REVIEW DEADLINE UNLIKELY TO BE MET

NARS has estimated that it will not be able to review all 20-year-old classified records in its custody until after the year 2000. NARS said that agencies have not scheduled all their records nor submitted their schedules for approval so that it can determine which records will require a declassification review.

Most of the records will require a costly, time-consuming, page-by-page review because (1) foreign government information, which cannot be declassified for 30 years, is intermingled with domestic information that can be declassified after 20 years and (2) information generated since World War II, containing intelligence sources and methods, will require a more thorough review and coordination with the originating agencies.

NARS has never been able to fill all the authorized positions in its Records Declassification Division. During fiscal years 1977 through 1979, only about 70 percent of the positions were filled. Staff turnovers, averaging 41 percent from 1973 through 1979, have prevented the staff from developing the subject matter knowledge needed for efficient reviews. (See p. 5.)

NARS INACCURATELY REPORTED DECLASSIFICATION PROGRESS

NARS substantially overstated its declassification activities for fiscal years 1973 to 1977. Instructions on the form 7096, used to accumulate declassification statistics, allowed unclassified pages to be included. Records Declassification Division officials increased surveyors' estimates of the number of pages declassified and further increased the total

number of pages declassified in reports to the Interagency Classification Review Committee.

Internal reports for fiscal years 1973 through 1977 showed that NARS declassified 161 million pages. However, NARS reported 215 million declassified pages to the Review Committee, an overstatement of 54 million pages. That amount was included in the Review Committee's annual report for 1977. (See p. 16.)

The General Services Administration's Inspector General has never reviewed NARS' declassification program. Problems disclosed in GAO's review might have been detected sooner if audits had been performed. (See p. 18.)

REVIEWS ON REQUEST AND ANTICIPATED DEMAND WOULD BE ADEQUATE

Although GAO fully endorses openness in Government, it believes that the Executive order should be modified because most information being systematically reviewed and declassified will probably not be requested by the public. In addition, responsiveness to the public could be improved by reviewing only those documents requested and those expected to be requested. The existing method is inefficient and costly.

NARS has estimated that over 90 percent of the 244 million pages reviewed for declassification during fiscal years 1980 through 1988 will not be requested by the public.

Since systematic reviews became a requirement in 1972, the same classified documents often have been reviewed many times before being made available to the public. Agencies review the material before sending it to NARS, the Records Declassification

Division makes systematic reviews, and the NARS custodial divisions review for other restrictions before releasing material to the public.

NARS, the Central Intelligence Agency, and the Departments of Defense, Energy, and State anticipate spending $88 million in salaries and benefits during fiscal years 1981 through 1988 to systematically review information for declassification.

Prior to the establishment of the Records Declassification Division in 1972, the custodial divisions were responsible for all declassification reviews. (See p. 21.)

RECOMMENDATIONS

To ensure that the President, the Congress, and the public are better informed about the results of the declassification program, the Administrator of General Services should revise the form 7096 to show the number of (1) pages reviewed, (2) classified pages reviewed, (3) classified pages declassified, and (4) classified pages exempt from declassification. The Administrator should also direct the Inspector General to periodically conduct comprehensive reviews of the NARS declassification program.

The Chairman of the National Security Council should draft, and submit to the President for approval, a revision to Executive Order 12065 that would modify the requirement for the systematic review of information for declassification. Specifically, systematic reviews for declassification should be made of records requested by the public and those which the Archivist of the United States anticipates will be requested.

After modification of the systematic review requirement, the Administrator of General Services should direct the Archivist of the

United States to transfer responsibility for all declassification reviews to the custodial divisions. To ensure uniform application of declassification policies and procedures, prescribed by approved declassification guides, the management personnel in the Records Declassification Division should be used in an advisory and coordinating capacity with the custodial divisions, agencies, and the Information Security Oversight Office.

AGENCY COMMENTS

NARS agreed with GAO that there was little chance that the systematic review for declassification of all 20-year-old classified records would be completed by December 1988. NARS said that it was taking steps to reduce staff turnover and to improve its reporting of declassification activity.

The Information Security Oversight Office, speaking for the Administration, strongly opposed GAO's suggestion that all 20-year-old classified information not be reviewed. Among other things, it told GAO that the report failed to address or evaluate openness in Government and that the recommendation was based primarily on cost considerations. NARS and the Departments of Defense and Energy also opposed this suggestion. As a result of their comments, GAO revised the report to more fully address openness in Government, clarified its conclusions, and revised its suggestion concerning systematic review. GAO supports openness, but it believes that selective declassification reviews could provide information of most interest to the public, while promoting efficiency and economy in Government. (See pp. 14, 19, 29, and 31.)

CHAPTER 1

INTRODUCTION

Implementation of the program for the classification and declassification of national security information is governed by Executive Order 12065, which took effect December 1, 1978. It superseded Executive Order 11652, which was in effect from June 1972 through November 1978. Both orders provide for a periodic, systematic review for declassification of records. The new order requires a review for only those records deemed permanently valuable.

In both orders the President has designated the heads of certain agencies and officials of those agencies to be authorized classifiers and declassifiers of information. The National Security Council is responsible for overall policy guidance. Permanently valuable classified information transferred to the National Archives and Records Service (NARS), within the General Services Administration (GSA), is to be declassified by the Archivist of the United States in accordance with agency declassification guidelines, the provisions of the Executive order, and directives of the Information Security Oversight Office (ISOO). ISOO replaced the Interagency Classification Review Committee (ICRC), which had oversight responsibility under the previous Executive order.

The previous order required the use of a general declassification schedule of 6 to 10 years for the automatic downgrading and eventual declassification of information, depending on the level of classification. Information requiring protection for a longer period could be exempted from a declassification review for 30 years, and classification beyond 30 years could be extended indefinitely at the discretion of the head of the agency originating the document.

The new order abolishes the general declassification schedule and limits the classification of most information to 6 years. It further provides that information requiring protection for a longer period can be classified for up to 20 years. Section 3-4 of Executive Order 12065 specifies that information constituting permanently valuable records of the Government must be reviewed for declassification at the end of 20 years, but classification can be extended for 10-year periods, provided the information is reviewed at the end of each period. Foreign government information may be

classified for up to 30 years. The mandatory review provision of the order also provides that, upon request to either NARS or the originating agency, any document or section thereof that no longer requires protection shall be declassified. The exception would be information less than 10 years old originated by the President or his representatives.

NARS has until December 1, 1988, to review all classified information, other than foreign government information, that is more than 20 years old. In order to meet this deadline, the order's implementing directive requires heads of agencies and designated officials, within 60 days of the effective date of the order, to survey all classified records 20 years old or older held in agency storage areas and Federal records centers and to identify those that require scheduling for future disposition. Such scheduling is required to be completed by December 1, 1980. The directive further provides that classified nonpermanent records that are scheduled to be retained for more than 20 years need not be systematically reviewed, but shall be reviewed for declassification upon request.

The agencies given declassification authority under both orders are to formulate, issue, and maintain systematic review guidelines. These guidelines shall state specific, limited categories of information which, because of their national security sensitivity, should not be declassified automatically. Such information is to be reviewed item by item to determine whether continued protection beyond 20 years is needed. Agencies are to cooperate with NARS in drafting guidelines which will allow NARS to review and declassify most documents on its own, without having to forward them to the agency for review.

Declassification responsibilities within NARS are divided among its divisions. The Records Disposition Division determines, through agency records schedules, which records are permanently valuable and should be accessioned into the Archives and which are temporary and should be disposed of. The division also helps agencies develop schedules and furnishes guidance on the transfer of material to Federal records centers.

When permanently valuable records are actually shipped to the Archives, it is the responsibility of the custodial divisions to accept these records. Information can be accepted by any one of seven custodial divisions, depending on the subject matter of the material. These divisions then inspect the condition of the records, arrange them, and prepare descriptive

guides and other aids that the public can use to request the information. The custodial divisions are responsible for reviewing this information for declassification when the public requests it informally or under the provisions of the Freedom of Information Act (FOIA), or the mandatory review provision of Executive Order 12065. The Records Declassification Division is responsible for doing systematic declassification reviews of the Government's 20-year-old classified records that are in the custody of the Archives.

Implementation of declassification responsibilities varied among the agencies we visited. Navy and Air Force systematic declassification groups are located within the historical offices of each department. FOIA, the Privacy Act, and mandatory declassification reviews are organized under the records management offices. In both the State Department and the Federal Bureau of Investigation (FBI) declassification functions are under one office and separate from the records management offices. Both the Army and the Central Intelligence Agency (CIA) have all their declassification and records management functions within the same office.

OBJECTIVES, SCOPE, AND METHODOLOGY

Because of the size of the Government's national security information classification program, our review is being undertaken in phases. This work was initiated at the request of the Chairmen, Subcommittee on Priorities and Economy in Government, Joint Economic Committee, and the Subcommittee on Government Information and Individual Rights, House Committee on Government Operations. It is being issued to the Congress because of widespread interest in the subject. Our first report (LCD-78-125, Mar. 9, 1979) discusses the need for improved executive branch oversight of the program. Our second report (LCD-80-16, Oct. 26, 1979) discusses the continuing problems in the Department of Defense's (DOD's) classification of national security information. This report evaluates the declassification activities of NARS and several Government agencies that handle large quantities of classified information.

We visited the offices having responsibility for the declassification program within the following organizations in the Washington, D.C., area:

--National Archives and Records Service

--Department of the Army

--Department of the Navy

--Department of the Air Force

--Department of Energy

--Department of Justice

--Department of State

--Central Intelligence Agency

In addition, DOD's Office of Information Security provided us with information on the status of declassification programs of the other major DOD components.

We reviewed Executive Orders 11652 and 12065, their implementing directives and instructions, as well as agencies' declassification guidelines. We discussed implementation of the program with agency officials. We obtained information on the cost of the program, results to date, and planned future declassification efforts of NARS and the agencies.

We started this review with the objective of evaluating compliance with the systematic review requirements of Executive Order 12065. Our findings and recommendations on this evaluation are included in chapters 2 and 3. On the basis of our observations and discussions with officials from NARS and various other Government agencies during our review, it became apparent that consideration should be given to revising the systematic review requirements. Our findings and recommendations on this matter are included in chapter 4.

CHAPTER 2

LITTLE CHANCE OF AGENCIES REVIEWING ALL 20-YEAR-OLD CLASSIFIED RECORDS BY 1988

Executive Order 12065, effective December 1, 1978, and its implementing directive require that (1) all 20-year-old classified material be on approved schedules by December 1, 1980, (2) agencies issue guidelines showing specific, limited categories of information which require item-by-item review to determine if continued protection is needed beyond 20 years, and (3) all permanently valuable 20-year-old classified material be systematically reviewed for declassification by December 1, 1988.

Some agencies, which have large amounts of classified information, will not have all their records on approved schedules by December 1, 1980.

All agencies, except the National Security Council and the Office of Science and Technology Policy, have submitted their systematic review guidelines to NARS.

NARS has estimated that all permanently valuable 20-year-old classified records in its custody will not be systematically reviewed for declassification until after the year 2000. NARS will not be able to meet the December 1, 1988, deadline for systematic review because

--agencies have not scheduled all their records and submitted the schedules to NARS for final approval in a timely manner,

--an increasing amount of material will require a page-by-page review,

--the NARS declassification staff has been below authorized levels, and

--there has been frequent staff turnover in the Records Declassification Division.

RECORDS SCHEDULING PROBLEMS DELAY REVIEWS FOR DECLASSIFICATION

All 20-year-old classified material will not be on approved schedules by December 1, 1980, because some

agencies have been slow in submitting their schedules to NARS for approval. NARS will not know the amount of material requiring a declassification review by December 1988 until all records are on approved schedules.

Since March 1973 NARS has periodically informed the heads of Federal agencies of their responsibility to schedule all records to identify which were temporary or nonpermanent and which were permanent and had archival value. It has also advised agencies that Federal records centers would no longer routinely accept records lacking definite retention periods. In August 1974 NARS set a December 31, 1976, time limit for development and submission of updated and comprehensive schedules. A comprehensive records schedule lists the types of agency records--permanent or nonpermanent--and contains precise instructions for their future disposition. Instructions for nonpermanent records must include minimum retention periods, while those for permanent records must provide for future transfer to the Archives of the United States. The records schedule is also supposed to contain an inventory of the records on hand, identifying the quantities and types of permanent and nonpermanent records.

Despite NARS efforts to encourage agencies to schedule their records for final disposition, about 3.8 million cubic feet of unscheduled records were stored in Federal records centers in December 1979. We found that about 247,000 cubic feet of these records contained some classified material. Based on a conversion factor of about 2,500 pages to 1 cubic foot, there were about 617,500,000 unscheduled pages within that 247,000 cubic feet, an unknown number of which were classified.

Because most agencies do not separate classified and unclassified material, few can submit schedules for only their classified records. Thus, the actual volume of records needing to be scheduled is considerably more than 617,500,000 pages. For example, the Navy had about 644,000 cubic feet of records, or 1.6 billion pages, at Federal records centers. The Navy knew that about 102,000 cubic feet of these records contained classified information because the boxes were so marked. The Navy, however, must schedule both its classified and unclassified records because they are intermingled. The following table shows those agencies with the largest volume of unscheduled classified records stored in Federal records centers in December 1979.

Agency	Cubic feet of unscheduled records	Unscheduled records containing classified material	
		cubic feet	pages
Department of the Navy	644,000	102,000	255,000,000
Department of the Army	591,000	5,000	12,500,000
Department of the Air Force	204,000	14,000	35,000,000
Other DOD agencies	117,000	65,000	162,500,000
Agency for International Development	40,000	23,000	57,500,000
Department of State	22,000	9,000	22,500,000
Department of Justice	128,000	9,000	22,500,000
U.S. Information Agency	7,000	5,000	12,500,000
Department of Commerce	48,000	5,000	12,500,000
General Services Administration	13,000	2,000	5,000,000
Department of the Treasury	647,000	2,000	5,000,000
U.S. Arms Control and Disarmament Agency	1,000	1,000	2,500,000
155 other agencies	1,338,000	a/5,000	12,500,000
Total	3,800,000	247,000	b/617,500,000

a/Only 32 of the 155 agencies have unscheduled records containing classified material.

b/Contains an unknown amount of classified pages.

In January 1980 NARS again took steps to get all agencies to schedule the nearly 3.8 million cubic feet of unscheduled records in the records centers by requiring agencies to submit plans for revising inadequate disposition instructions for their records by February 15, 1980. NARS officials informed us in March 1980 that agencies had complied with this requirement. However, NARS will not be able to review and approve by December 1, 1980, all agency schedules already submitted because (1) agencies were slow in submitting their schedules and (2) it takes time to review and approve them. NARS estimates that it could be early 1982 before all Navy and Army records schedules are approved.

The FBI's central records system, which includes both administrative and investigative files, contains most of its classified material. These and other FBI records are stored in 121,000 square feet of space in its headquarters building. The only FBI records contained in the Archives were microfilmed investigative files from World War I to 1923.

In May 1977 the FBI submitted a draft schedule for its central records system to NARS. Before approving the schedule, which indicated which records would be retained and which would be destroyed, the Archivist, aware of congressional interest in this information, referred the schedule to the two interested committees for review and comment. Before a decision was made, a class action suit was brought against NARS and the FBI to stop the destruction of all FBI records. Historians and others allege that NARS had in the past approved record schedules allowing the FBI to destroy billions of pages of information not deemed permanently valuable.

In January 1980 a Federal judge directed the FBI and NARS, in consultation with historians and other interested parties, to devise a plan, to be approved by the court, that specifies instructions for the retention or disposition of FBI records. Until the court decides which FBI records are permanently valuable, the FBI will not be able to systematically review its permanently valuable classified information as required by Executive Order 12065.

In addition to the 3.8 million cubic feet of unscheduled records in the records centers, an unknown quantity of 20-year-old classified material was still being retained by the agencies. The amount of these records needing a declassification review will not be known until they are either transferred

to the Federal records centers or the Archives. Agencies are permitted to keep older records if they have a continuing need for them.

MOST 20-YEAR-OLD INFORMATION WILL REQUIRE PAGE-BY-PAGE REVIEW

Most NARS reviews under Executive Order 12065 will have to be done by a costly and time consuming page-by-page review rather than by bulk declassification, because (1) foreign government information, which does not have to be reviewed for declassification until it is 30 years old, is intermingled with domestic information that can be declassified after 20 years, and (2) increased amounts of information containing intelligence sources and methods will require a more thorough review and coordination with the agencies that originated the information.

Under Executive Order 11652, all 30-year-old information, whether it was foreign government or domestic information, had to be reviewed by NARS for declassification. Under Executive Order 12065, NARS must review 20-year-old Government information for declassification, while foreign government data still remains classified for 30 years. According to NARS officials, this means that they must review the same type of information page by page that was once bulk declassified, in order to identify and segregate foreign government information not yet 30 years old.

Bulk declassification consists of NARS using agency declassification guidance to survey a sample of records. If no records are identified as exempt from declassification based on the guidance, the entire group of records is immediately declassified. However, if NARS finds even one document that could be exempt, based on the declassification guidance, the entire group of records is reviewed page by page. Obviously, bulk review is the most efficient way to declassify information. From fiscal years 1973 through 1979, NARS used 21 staff-years to bulk review 247,000,000 pages, while for the same period 256 staff years were used to review 137,000,000 pages for declassification by the page-by-page method.

NARS officials explained that since World War II, the volume of intelligence information and the amount of such information exchanged among agencies has increased substantially. Executive Order 12065 also requires a declassification review of 20-year-old intelligence information, much of

which contains sources of information and methods of operation that the originating agencies believe require extended protection. Because of this, the amount of information that is reviewed page by page will increase, while the amount that is bulk declassified will decrease.

NARS officials have estimated that under the previous Executive order an individual could cover approximately 300 pages an hour in a page-by-page review of 30-year-old material. Under the current order an individual will only be able to review between 100 and 125 pages an hour because 20-year-old material is being reviewed. Much of this information may reveal sources and methods still in use. As a result, this information is reviewed very carefully and at a slower rate. For example, a recent 80,000 page project was reviewed under the new Executive order at a rate of about 108 pages an hour.

Reviewing 20-year-old records for declassification that contain information about intelligence sources and methods will also require more frequent coordination with the agencies that originated the information. In June 1979 the CIA issued systematic review guidelines which allow NARS to automatically declassify all 20-year-old information, unless it falls into any of 29 specified categories. The guidelines instruct NARS not to declassify any information falling into these categories. Such information is to be referred to the CIA for review. These categories refer to intelligence sources and methods, yet are all inclusive and do not specifically define what information can and cannot be declassified within the categories. As a result, NARS reviews and withholds all information falling into these categories for the CIA's review.

A similar situation occurs when NARS reviews an agency's records that contain intelligence information originated by other agencies. We reviewed three projects completed by NARS in January 1980, which required extensive coordination with the National Security Agency, the State Department, CIA, Army, Navy, Air Force, and the FBI. Of the 31,800 pages withheld for coordination, only 2,800 were subsequently released.

State Department guidelines specifically require NARS to refer information falling under intelligence sources and methods to State for further review and possible referral to other agencies.

NARS DECLASSIFICATION STAFF HAS BEEN BELOW AUTHORIZED LEVELS

NARS officials told us that a primary reason that the systematic review requirement of the order will not be met by December 1988 is the lack of an adequate number of people in the Records Declassification Division to perform the reviews. NARS officials have estimated that from 1980 to 2000, they will review about 466 million pages of information for declassification and that the systematic review of all 20-year-old classified material will still not be accomplished. A backlog of 24 million pages will still exist.

From 1973 through 1979 the staff was substantially below authorized levels. For example, during fiscal years 1977 through 1979 only about 70 percent of the authorized positions were filled. The primary reasons were the constant and high turnover and the time required to obtain security clearances for incoming personnel.

Frequent staff turnover in the Records Declassification Division

A Records Declassification Division was formed within NARS to perform systematic reviews. This requirement was established by Executive Order 11652 in June 1972. Since the division was created, personnel turnover has been high. From 1973 through 1979 the staff turnover rate averaged 41 percent, ranging from a low of 19 percent in 1978 to a high of 71 percent in 1973. Efficient review of information for declassification requires subject matter expertise, which is acquired with experience. However, if the high rate of turnover experienced by the declassification division from 1973 through 1979 continues, the staff will not develop the subject matter knowledge to efficiently review all 20-year-old permanently valuable classified information. The following tabulation shows the authorized staff level, average staff level, and staff turnover from 1973 through 1979.

Fiscal year	Authorized staff level	Average staff level	Percent of authorized staff	Staff turnover	Percent of yearly turnover
1973	109	65	59	46	71
1974	102	66	65	24	36
1975	120	82	68	31	38
1976	105	85	81	46	54
1977	105	71	68	22	31
1978	103	72	70	14	19
1979	100	68	68	28	41

NARS officials agree that high staff turnover has been a problem since the division was established in 1972. Most of the staff leave for better pay or advancement opportunity.

NARS officials told us that it takes about 2 years to become proficient in doing declassification reviews and that most of the turnover occurred within that 2-year period. Thus, a large part of the staff had to be constantly trained and its work closely reviewed to ensure accuracy. As a result, the staff was not as proficient as it should have been to perform declassification reviews, which in turn, meant that less information was reviewed for declassification than would otherwise have been the case with a more proficient staff. We were told, for example, that because inexperienced staff had to be closely supervised and their work constantly reviewed, it took over 2 years to review a project with only 900 cubic feet (or about 2.25 million pages) of records.

Staff turnover, in addition to delaying the review process, is costly. New staffmembers cannot review any classified material until a top secret security clearance is obtained, which takes approximately 4 months and now costs about $950.

We identified 230 individuals granted top secret clearances from 1973 through 1979, of which 211 either resigned shortly after beginning work or transferred to another NARS

division. It appears that the remaining 19 individuals declined the position offered to them after they had been cleared. About a third of the 211 individuals transferred to other divisions in NARS which may have required them to have a security clearance. It cost almost $27,000 to clear the individuals who left the declassification division in 1979. If the high turnover continues, future costs could be even higher.

NARS is aware of the turnover problem and plans to increase the career ladder for 19 of its 108 technical declassification positions by one grade. However, we do not believe this action is enough to correct the problem because it will only affect a small percentage of the staff. Moreover, it is not known whether the increase of one grade will be enough to retain qualified personnel.

CONCLUSIONS

There is little chance that NARS will be able to systematically review for declassification all 20-year-old permanently valuable material by December 1, 1988. NARS has estimated that such reviews will not be completed until after the year 2000.

One reason NARS will not meet the December 1988 deadline is because some agencies did not have all their 20-year-old records on approved schedules that indicated which are permanently valuable and require a declassification review. The records of all agencies are required to be on approved schedules by December 1, 1980. Some organizations, like the Army and Navy, will not have their records on approved schedules at least until 1982. NARS did not know the total volume of unscheduled 20-year-old classified records of all Government agencies. Consequently, NARS did not know how many permanently valuable records will have to be reviewed for declassification. However, as of December 1979 there were nearly 3.8 million cubic feet of material in Federal records centers that needed to be scheduled, and it is unlikely that the 20-year-old permanently valuable classified material can be scheduled and reviewed for declassification by 1988.

Most information will also require a costly and time consuming page-by-page review to identify and segregate foreign government information that must remain classified

for 30 years. Increased amounts of information containing intelligence sources and methods will require a more thorough review and coordination with the agencies that originated the information.

Between 1973 and 1979 NARS was not able to fill all the authorized positions in its Records Declassification Division. Frequent turnover in the declassification division does not permit the staff continuity needed to gain the subject matter expertise to declassify information. Staff turnover averaged 41 percent from 1973 through 1979. Although it takes about 2 years to become proficient in doing declassification reviews, most of the staff that has left has done so within 2 years after being hired.

In our opinion, if the recommendations made in chapter 4 are adopted, the problems discussed above should be resolved.

NARS COMMENTS AND OUR EVALUATION

On July 3, 1980, the Acting Archivist of the United States, in commenting on our report (see app. I), agreed with our finding that there was little chance that all 20-year-old classified records would be reviewed by December 1988 with the present level of resources. NARS will, he said, be able to review and declassify the greater part of historically significant documents by then. NARS also agreed with our identification of the causes for its inability to meet the 1988 goal.

NARS was not sure whether the failure of agencies to schedule their records was the fault of poor records management or the lack of personnel, but it suggested that we should have "forcefully recommended greater agency attention to records scheduling."

Greater agency attention to records scheduling may be needed. However, it was not within the scope of our work to examine and identify the causes of the scheduling problems at the nine agencies that each had 1,000 cubic feet or more of unscheduled records containing classified material stored in Federal records centers. Without the identification of causes, we have no basis for such a recommendation.

There is agreement that an increasing amount of material will require page-by-page review because foreign government information in the files is not 30 years old, thus, not permitting bulk declassification of files that are 20 years old.

However, NARS said that "if records have not been requested by a researcher, we can and do defer declassification action until the passage of time eliminates this impediment to bulk declassification."

With respect to the problem of staff turnover, NARS said that it was reexamining its hiring policies and was considering the possibility of hiring, on a part-time basis, retired experts from those agencies that classify large quantities of information.

CHAPTER 3

NARS INACCURATELY REPORTED ITS PROGRAM RESULTS

Since 1973 both ICRC and ISOO have stressed the importance of accurately reporting the results of classification decisions. Inaccurate reporting of program results hampers ISOO in effectively carrying out its oversight responsibility. It also misinforms the President, the Congress, and the public, and results in a loss of credibility and confidence in the entire classification program.

We found that declassification statistics compiled and reported by NARS were inaccurate because instructions on the form allowed unclassified material to be included and NARS arbitrarily increased estimates of the number of pages it declassified. We also found discrepancies in the statistics compiled by NARS and reported to the oversight office.

INCREASED ESTIMATES OF PAGES DECLASSIFIED

GSA form 7096 was used to report a summary of statistics of various archives programs and activities. One section was devoted to statistics about the records declassification program and was used by NARS to compile the declassification information reported to ISOO. The instructions for completing this form provided for each page of a document to be counted as a page declassified even when the document contained unclassified pages. As a result of these instructions, the number of pages reported as declassified was higher than what it should have been.

When NARS reviews information for declassification, all material in a record group is first surveyed to determine whether it can be bulk declassified or will require a page-by-page review. The surveyor samples a number of documents in order to make this determination. The number of documents examined depends on the surveyor's knowledge of the subject matter, his judgment, and the specificity of the guidance used.

In addition to recommending either a bulk or a page-by-page review, the surveyor also estimates the percentage of classified material in the record group. This estimate is used to compute the amount of material declassified when it is compared to the total amount of information in the record

group. At the time of our review, there were no controls to ensure that the surveyor's estimates were accurately reflected in NARS internal reports. We found that declassification division officials increased the amount of declassified material that surveyors reported and used inflated figures in their periodic activity reports.

We identified 20 projects surveyed between January 1978 and August 1979 in which surveyors' estimates of classified material differed from the figures included in NARS' internal reports. In each case the report showed a higher percentage of classified material than the surveyor estimated. For example, a project containing 156 cubic feet of material was reviewed in August 1978. The surveyor estimated that 3 percent, or 11,700 pages, were classified. The NARS report, issued in January 1979, showed 30 percent, or 117,000 pages, were classified. Another project, surveyed in August 1978, contained 2,865 cubic feet of records. According to the surveyor's estimate, 3 percent, or 214,875 pages were classified. The January 1979 report showed that 30 percent of the project contained classified pages. In both cases, a zero had been added to the surveyor's percentage estimates.

Our analysis of the 20 projects, including a review of the surveyors' workpapers and draft reports, indicated that the surveyors' estimates were increased in the internal reports in order to show a higher number of pages declassified. The surveyors' estimates of classified pages were increased by almost 3 million pages.

DISCREPANCIES IN STATISTICS COMPILED BY NARS AND REPORTED TO THE OVERSIGHT OFFICE

Although inflated statistics were used to compile the number of pages declassified, NARS further increased the statistics that it reported to ICRC.

We examined NARS quarterly reports and project logs for fiscal years 1973 through 1977 and compared them to the figures published by ICRC. ICRC received higher declassification figures and published them in its annual report for 1977. ICRC was the oversight body responsible for monitoring the Government's classification program. NARS internal reports showed that 161 million pages were declassified from 1973 to 1977. However, NARS reported to ICRC that 215 million pages had been declassified, and ICRC included that amount, an overstatement of 54 million pages, in its 1977 annual report.

We informed NARS officials of these matters in November 1979. In February 1980 we were told that GSA form 7096 was being revised to show the number of pages reviewed and the number of pages declassified. In February 1980 the Director of the Records Declassification Division notified all branches that any adjustment to the surveyor's initial estimate must be documented and authorized in writing by the appropriate branch chief, including an explanation of changes made.

INTERNAL REVIEWS OF NARS DECLASSIFICATION OPERATIONS HAVE NOT BEEN MADE

Prior to October 1978, GSA's internal reviews were conducted by the Office of Audits, which reported to the Administrator of GSA. These audits were financial reviews and management studies of the efficiency and effectiveness of various operations. The Inspector General's office was established in October 1978 by Public Law 95-452 and the Office of Audits was placed under it. The Inspector General is appointed by the President and confirmed by the Senate and reports to both the GSA Administrator and the Congress.

Since October 1978 the Inspector General has conducted four audits of NARS, including reviews of various NARS operations and two Presidential libraries. The Inspector General has never performed a review of the operations of the NARS records declassification program; however, NARS conducted an internal study in May 1977 at the request of the Archivist. We were told that the study addressed declassification procedures, staff morale, and turnover in the Records Declassification Division. The Archivist was informed that problems existed in these areas, but a report was never issued.

Certain problems disclosed in our review, like the high personnel turnover discussed on page 11, were also identified in that study. Our review also disclosed deficiencies in the way NARS has reported its program results. We believe that the inaccurate reporting of program results might have been detected and corrected sooner if the Inspector General had performed periodic audits of the NARS declassification program.

CONCLUSIONS

NARS records declassification program had never been the subject of an audit by GSA's Inspector General. The past overstatement of declassification statistics compiled and reported to ICRC might have been disclosed earlier if program

performance had been reviewed. We believe that the overstatement of pages declassified from 1973 to 1977 misinformed the ICRC, the President, the Congress, and the public.

RECOMMENDATIONS

We recommend that the Administrator of General Services

--Revise the section of GSA form 7096 that deals with declassification statistics to show the number of (1) pages reviewed, (2) classified pages reviewed, (3) classified pages declassified, and (4) classified pages exempt from declassification.

--Direct the Inspector General to periodically conduct comprehensive reviews of the NARS declassification program.

NARS COMMENTS AND OUR EVALUATION

NARS told us that GSA form 7096, which was revised in 1972 to account for systematic review work performed was inadequate as a means of reporting work completed at the end of a calendar year because incomplete projects were not included. Consequently, the Records Declassification Division Director estimated the accomplishments of the entire systematic review program in his division, the custodial divisions, and the Presidential libraries, and reported those figures to ICRC. A revised form 7096, along the lines we suggested, has been approved for use in fiscal year 1981. Because of this revision and other internal procedural decisions, NARS expects to be able to report the total number of pages examined, the number of classified pages examined, the number of pages declassified, and the number of pages remaining classified.

Since we were able to reconstruct the number of pages declassified during fiscal years 1973 through 1977 from quarterly reports and project logs, including provision for incomplete projects, we believe that NARS could have done likewise.

NARS also told us that it was taking steps to ensure that any changes in surveyors' original estimates were fully documented and justified and cited the Records Declassification Division Director's February 1980 memorandum.

NARS agreed that internal reviews had not been made and said that the situation would be rectified and that problems addressed by us would be addressed in a review of the entire program.

CHAPTER 4

REVIEWS ON REQUEST AND ANTICIPATED DEMAND COULD ADEQUATELY PROVIDE INFORMATION TO THE PUBLIC

The primary objective of the Executive order's declassification provision is to make information no longer requiring protection available to the public, by requiring a systematic declassification review of 20-year-old information. According to the statement by the President when he signed the order, limiting classification and accelerating declassification would increase openness in Government.

We have always been a strong advocate of openness in Government, and we believe that such openness would not be diminished if the systematic review part of the program were modified to be more responsive to the public. We believe that systematic reviews of certain groups of records should be made (1) when requested by the public and (2) in anticipation of requests.

A major but intangible benefit of systematic review of all 20-year-old records is the public's perception that it provides for increased openness in Government. Although we recognize the importance of this perception to public confidence in the classification program, we believe that its benefits and costs should be compared to the benefits that could be derived from certain modifications to the systematic review requirements of the program. We believe that these modifications are needed because

- --most information systematically reviewed and declassified will probably not be requested by the public,
- --responsiveness to the public could be improved, and
- --the existing method of systematic review for declassification is inefficient and costly.

The Records Declassification Division was established in 1972 to perform systematic reviews for declassification that were previously done by the custodial divisions. We believe that the custodial divisions should again assume the responsibility for such reviews.

MOST INFORMATION SYSTEMATICALLY REVIEWED AND DECLASSIFIED WILL NOT BE REQUESTED BY THE PUBLIC

Based on NARS' estimates, over 90 percent of the pages that will be reviewed for declassification during fiscal years 1980 through 1988 will not be requested by the public.

Estimates of the types of information that the public wants are based on requests made to NARS by individuals, indicating the type of information they will be coming into review during the year. Future years' estimates are based on what the Director of the Records Declassification Division believes the public will request. Estimates of pages to be systematically reviewed through 1988 are based on the number of people reviewing information in the declassification division and the rate at which they can review information.

The following tabulation is taken from NARS' estimates.

Fiscal year	Total pages reviewed	Pages systematically reviewed	Pages reviewed by public request (note a)	Percent of total
	(000 omitted)			
1980	33,100	31,175	1,925	6
1981	26,800	24,375	2,425	9
1982	26,500	24,225	2,275	9
1983	26,500	24,225	2,275	9
1984	26,500	24,225	2,275	9
1985	26,200	24,025	2,175	8
1986	26,000	24,000	2,000	8
1987	26,000	24,000	2,000	8
1988	26,000	24,000	2,000	8
Total	243,600	224,250	19,350	8

a/Includes informal requests and requests made under the mandatory review provision of Executive Order 12065 and the FOIA.

The Director of the Records Declassification Division told us that specific requests for information would increase by about 5 million pages a year if there were no requirement for systematically reviewing all 20-year-old material. Officials of the custodial divisions thought that the estimate was too high and that the increase in specific requests would be about 1 million pages or more a year.

Even if the number of specific requests were to increase by as much as 5 million pages a year, there would still be a substantial reduction in the efforts needed to review records that probably will not be requested.

The public may not be aware of the fact that, even under the systematic review provision of the Executive order, most classified information will never be reviewed for declassification because it is not considered permanently valuable. NARS has estimated that only about 5 percent of all Government records are considered permanently valuable and subject to a systematic declassification review. Much of the other 95 percent, while not considered permanently valuable, could still be of interest to the public; yet these records are not systematically reviewed. These records are made up of classified information that is originated and used by Government agencies in their daily operations. Some of the nonpermanent records are maintained by the agencies for many years. Most of this type of information is destroyed when it is no longer needed. Nevertheless, most classified information is not systematically reviewed for declassification and is not made available to the public. And as noted above, it is probable that only a small portion of the 5 percent of the Government's records that are systematically reviewed will ever be requested by the public.

RESPONSIVENESS TO THE PUBLIC COULD BE IMPROVED

Most classified and otherwise restricted information is not requested by the public under the provisions of the Executive order, FOIA, the Privacy Act, or other statutes. Most of NARS' requests for information are informal and made by individuals in writing, by phone, or in person. NARS estimates that between fiscal years 1981 and 1988, the public will request about 17 million pages of classified or otherwise restricted information. Of this amount, about 16 million pages, or 95 percent, will be requested informally.

We believe that responsiveness to the public could be improved if the efforts now being directed to systematically reviewing all 20-year-old material were redirected to reviewing only that information (1) requested informally, (2) requested formally under provisions of the Executive order, FOIA, and the Privacy Act, and (3) which NARS anticipates will be requested.

When information has been systematically reviewed but not declassified, an individual may request, under the mandatory review provision of the Executive order or FOIA, that the classified portions of the information be declassified and released. According to NARS officials, individuals may rely even more heavily on FOIA and mandatory reviews in the coming years, because the amount of information exempted under systematic review is growing due to the increase in intelligence information requiring review as it becomes 20 years old. More of this information will remain classified beyond 20 years in order to protect sources and methods.

From 1972 through 1979, when 30-year-old material was being reviewed, 143 million classified pages were systematically reviewed for declassification by one NARS group and only 2 million pages, or about 1 percent, remained classified. However, NARS officials estimated that the amount of material that is reviewed and not declassified could increase by 20 percent or more in the future as more 20-year-old material is reviewed. NARS recently reviewed a project which contained intelligence information. That project contained approximately 15,000 documents. About one-third of the documents were not declassified. Individuals wanting access to information not systematically declassified may turn to mandatory requests under the Executive order or FOIA to obtain the information.

The mandatory review provision of Executive Order 12065 provides that, upon request to either NARS or the originating agency, any document or section thereof that no longer requires protection shall be declassified, except information less than 10 years old originated by the President or his representatives. The originating agency has 60 days to decide whether to release the requested information in total or in part or whether to deny the request. The decision can be appealed to the agency within 60 days. The agency has 30 days to act on an appeal. The mandatory review provision also allows individuals to specifically request information previously exempted from declassification under systematic review, thus requiring a decision on a case-by-case basis.

The ICRC, which had oversight responsibility under the previous order, reported 12,800 mandatory review requests from 1973 through 1977. About 8,000, or 62 percent, of the requests were granted in total or in part.

FOIA provides that, upon request, an agency shall declassify any document or portion thereof that no longer requires protection under the provisions of an Executive order. The agency has 10 working days to release the document in total or in part, to deny the request, or to provide notification that the request is being processed. Decisions can be appealed to the head of the agency or to the specific office where the request was made. If the appeal is rejected, the requestor can take the case to court.

Federal agencies were not required to report the total number of FOIA requests received each year. Consequently, statistics on the total number of requests, Government-wide, were not readily available. However, we were able to obtain information on FOIA requests and denials from the military departments, the CIA, and the State Department. During 1978 and 1979, 111,700 requests for information were made to these organizations; 96,800, or 87 percent, were granted in total or in part. As of December 1979 the State Department and the CIA had a backlog of over 4,100 FOIA requests.

THE EXISTING METHOD OF SYSTEMATIC REVIEW FOR DECLASSIFICATION IS INEFFICIENT AND COSTLY

Inefficient declassification procedures could be eliminated and costs could be reduced if the systematic review requirements were modified.

Since systematic declassification reviews became a requirement in 1972, the same classified documents often have been reviewed a number of times before being made available to the public. Those reviews have included agency reviews before material was accessioned to NARS, systematic reviews by the Records Declassification Division, and reviews by NARS custodial divisions for other general and specific restrictions.

Most agencies only review and declassify information that they have originated, which they believe is no longer sensitive. They are not authorized to declassify material in their

files that was originated by another agency. Prior to accessioning material to NARS, the CIA, Navy, and the Department of Energy review their files and recommend to NARS which information can be declassified. The recommendation, however, only applies to information that the agency believes it can declassify using its own declassification guidelines. Because one agency's files may contain information from other agencies, the NARS declassification staff must again review the files using the other agencies' declassification guidance. NARS identifies that material requiring further review and the agencies' declassification personnel actually performs another review of that information before a final declassification determination is made.

Before the public can have access to the material, the NARS custodial staff again reviews the files to identify and remove material restricted under provisions of FOIA and the Privacy Act. If the public later requests material specifically under the FOIA or the mandatory review provision of the Executive order, that material has to again be reviewed by either a NARS custodial division or the originating agency, even if the material was exempted from declassification in any of the previous reviews.

These multiple reviews for declassification were time consuming and costly.

NARS, the CIA, and the Departments of Defense, Energy, and State have estimated that, at current levels of effort, their salary and benefit costs for systematic reviews for fiscal years 1981 through 1988 will total about $88 million. The CIA told us that, at its current level of effort, it will spend about $16 million during the 8-year period, but it will only be able to review about 22 percent of its 20-year-old classified information by December 1, 1988. The CIA also told us that it would need an additional $64 million to meet the review requirement of the Executive order by December 1988, and that the additional funds would have to be taken from other CIA programs.

CUSTODIAL DIVISIONS SHOULD BE RESPONSIBLE FOR SYSTEMATIC DECLASSIFICATION REVIEWS

Prior to Executive Order 11652 in 1972, the NARS custodial divisions were responsible for performing all declassification and other reviews prior to the release of records. Since then, they have continued to perform declassification reviews under

FOIA and other programs. The only exception is the systematic review program which was assigned to the newly formed Records Declassification Division.

Custody and control of the Federal Government's records in the National Archives are divided among seven custodial divisions, depending on the subject matter of the records. Each division is responsible for preserving, arranging, describing, and providing a reference service to the public for the records that it holds. Virtually all classified records fall within the Military Archives Division, the Civil Archives Division, and the General Archives Division. As part of arranging and describing the records, staff in these divisions must review and remove those records which meet certain restrictions to access, such as those prescribed by FOIA and the Privacy Act. In addition, there are about 20 other general restrictions that the staff must identify. These include restrictions on records originated by the Joint and Combined Chiefs of Staff, copyrighted material, and DOD personnel and inspector general reports.

Prior to Executive Order 11652, when systematic reviews were initiated, the custodial divisions reviewed classified material for possible declassification as part of their normal workload. They concentrated primarily on information specifically requested by the public, with secondary emphasis on information that they anticipated the public would request. In 1972, in order to implement the systematic review requirement of Executive Order 11652, NARS created the Records Declassification Division and gave it the primary responsibility for systematically reviewing information for declassification. However, the custodial divisions continued declassifying some information specifically requested by the public informally and under FOIA and the Privacy Act. Since 1972 the NARS custodial divisions have declassified over 2.6 million pages in response to specific public requests for information.

The custodial staffs believe they could again incorporate a declassification review as part of their responsibilities. NARS officials agree that the custodial staffs have better subject matter knowledge than the declassification staff and could apply declassification guidance with less agency assistance, thus reducing the time and cost of declassifying information.

NARS officials said that when agencies accession permanently valuable 20-year-old records to NARS, certain groups,

for which a public demand is anticipated, could be selected for systematic review. Reviews of this type have been done in the past.

Unlike the high staff turnover in the declassification division, the custodial divisions' turnover has been low. From 1972 through 1979 the annual staff turnover in the three custodial divisions, that had virtually all the classified information, averaged only 9 percent, as compared to an average turnover rate of 41 percent in the declassification division for the same period. Continuity in personnel has permitted the staff to gain experience, develop an indepth and thorough knowledge of information in agency files, and establish close working relationships with agency personnel. The custodial staffs, unlike the declassification division staff, deal with the public on a daily basis and assist them in obtaining information in which they are interested.

NARS was unable to estimate the exact number of people that would be needed in the custodial divisions if they assumed the responsibility for all declassification reviews. However, we believe that some administrative economies could be effected by consolidating the personnel in other existing divisions. Management personnel of the declassification division could be used in an advisory and coordinating capacity with the custodial divisions, agencies, and ISOO to ensure the uniform application of declassification policies and procedures.

CONCLUSIONS

A major objective and benefit of Executive Order 12065's requirement for the systematic review for declassification of all 20-year-old, permanently valuable classified information is the public's perception that it provides for increased openness in Government. We agree that such a perception is important to public confidence in the classification program and in the Government in general. We fully endorse the policy of openness in Government. However, we believe that modification of the systematic review requirement of the order would make the declassification part of the program more responsive to the public. Such modification might have some effect on public perception, but we believe that if the public were made fully aware of the costs and benefits of the existing system and proposed modification as described in this chapter, general acceptance of the change might be forthcoming.

Since most of the 20-year-old classified information that is systematically reviewed and declassified may never be requested by the public, the effort required for such reviews could be used more efficiently if it were redirected to areas of greatest concern to the public. Instead of being used to review all 20-year-old material, that effort could be used to review those groups of records specifically requested and those likely to be requested. Some effort could also be used to respond to FOIA and mandatory review requests. In addition to being more responsive to the public, we believe that the Government could save a substantial part of the estimated $88 million that will be spent during fiscal years 1981 through 1988 to review all 20-year-old classified information.

RECOMMENDATIONS

We recommend that the Chairman of the National Security Council draft, and submit to the President for approval, a revision to section 3-4 of Executive Order 12065 that would modify the requirement for the systematic review for declassification of all 20-year-old permanently valuable classified information. Specifically, systematic reviews for declassification should be made of those records or groups of classified records requested by the public and those records which the Archivist of the United States anticipates will be requested.

We recommend, after modification of the systematic review requirement, that the Administrator of General Services direct the Archivist of the United States to transfer responsibility for all declassification reviews to the custodial divisions. To ensure uniform application of declassification policies and procedures, as prescribed by approved declassification guides, the management personnel in the Records Declassification Division should be used in an advisory and coordinating capacity with the custodial divisions, agencies, and ISOO.

ISOO COMMENTS AND OUR EVALUATION

On June 26, 1980, the Director of ISOO, on behalf of the Administration, strongly opposed our suggestion for eliminating the requirement that all 20-year-old, permanently valuable classified information be systematically reviewed. (See app. II.) ISOO also expressed the view that our report had three shortcomings:

1. It failed to address or evaluate the public policy of open Government as a product of systematic review.

2. It concluded that FOIA and mandatory review procedures of the Executive order were adequate substitutes for systematic review.

3. It failed to consider alternative and less drastic solutions to the problems identified in the report before recommending abolishment of the systematic review.

According to ISOO, the report "largely ignores any criteria other than cost in evaluating the program" and that its cost is substantially less than that of FOIA. ISOO further stated that the existing system helps to offset the perception held by many that Government officials hide their mistakes behind the cloak of secrecy, and that our recommendation would lend credence to that perception by dooming vast quantities of records to permanent closure.

As a result of the comments, this chapter has been revised to reflect some of the concerns expressed by ISOO and other agencies (see below). We have more fully addressed the question of the public's perception of openness in Government and clarified our conclusions to show that we do not consider the FOIA and mandatory review procedures substitutes for the systematic review of all 20-year-old classified material. Systematic reviews would be made, but only of those records that are requested and those that the Archivist expects to be requested in the future. Our suggestion has been revised accordingly.

We agree with ISOO that cost is not the most important reason for changing the systematic review requirement of the Executive order. Responsiveness to the public is certainly more important. While the costs incurred under the FOIA may be higher than the costs associated with systematic review, the FOIA costs are the direct result of specific requests, whereas the systematic review costs are for reviewing records--most of which will probably not be requested by the public. We believe that it is incumbent upon the Government to be responsive to its citizens, but it is equally incumbent for the Government to do so in an efficient and economical manner.

Executive order provisions and the perceptions of openness in Government that they often are intended to convey must be examined and evaluated from time to time. Another provision of Executive Order 12065, related to systematic review, deals with the duration of classification. The order provides for most information to be classified for periods not in excess of 6 years. It also authorizes some information to be classified for more than 6 years, but states that such authority "shall be used sparingly." That provision of the order, besides conveying the impression that there will be greater openness in Government, if followed, would have a major impact on the efforts required for systematic reviews. However, whether justified or not, the authority to extend classification beyond 6 years has not been used sparingly. An ongoing review of classified documents held by contractors shows that 97 percent were classified for more than 6 years. An earlier review at Government installations showed that over 50 percent were similarly classified. (See p. 3.)

NARS, DOD, CIA, AND DEPARTMENT OF ENERGY COMMENTS AND OUR EVALUATION 1/

NARS believes that access to classified information would be curtailed if systematic reviews were eliminated, because sound research methodology by serious scholars requires general access to the records potentially concerning their subject of research. It does not believe that research conducted within the confines of the FOIA and mandatory review provision would be acceptable to researchers.

As revised, we believe our recommendation would not hinder research, because NARS already informally reviews and declassifies records requested by researchers. As noted on page 15, NARS said that if records have not been requested by a researcher, it can and does defer declassification action. Furthermore, section 4-3 of the order, "Access by Historical Researchers and Former Presidential Appointees," provides for access to classified information by persons engaged in historical research projects, when certain conditions are met.

1/Since agency comments were lengthy we have included only those of two principal groups involved--NARS and ISOO. Other comments are also summarized.

DOD believes that the progressively more stringent policies that the executive branch has evolved during the past 27 years for assuring orderly, earliest possible declassification have well served the goal of maintaining public confidence in the integrity of the classification system. DOD also believes that we should have considered cost reductions that might be realized by a less radical revision of the Executive order, such as reverting to the systematic review of all 30-year-old classified material.

We have already addressed the issue of public confidence in the classification system. With respect to the suggestion that we should have considered a less radical revision, we believe a less radical revision would not resolve the problem.

The Department of Energy told us that while it supports the systematic review program, it does not have adequate resources to properly conduct the required review.

The CIA did not comment on our recommendation. It said, however, that the multiple layers of review mentioned in the report were necessary because records custodians, such as NARS, regardless of their familiarity with the records, do not possess the experience, background, and knowledge needed to make declassification determinations with respect to such things as intelligence, national defense, and foreign relations.

Our recommendations, as modified, would eliminate the need for some of the multiple layers of review, but we agree with the CIA that such reviews may be necessary in some cases.

APPENDIX I

General Services Administration
National Archives and Records Service Washington, DC 20408

JUL 3 1980

Mr. R. W. Gutmann
Director
Logistics and Communications Division
United States General Accounting Office
Washington, DC 20548

Dear Mr. Gutmann:

Enclosed is a paper presenting the position of the National Archives and Records Service (NARS) to the proposed draft report entitled, "Systematic Review for Declassification of National Security Information--Do Benefits Equal Costs?" This agency cannot accept the conclusions and recommendations of the draft report that the systematic review program in operation in the National Archives since 1972 is not sufficiently cost effective to warrant its continuation.

We oppose this conclusion on several bases. First, this government's avowed public policy position of openness would be seriously undercut if the systematic review program were abolished. This point is cogently argued in the response of the Director of the Information Security Oversight Office to the proposed draft report and has our wholehearted endorsement. Second, the Freedom of Information Act and the mandatory review provisions of EO 12065 are inadequate substitutions for systematic review. Third, many of the findings in the report are not pertinent to the conclusion to end systematic review. Fourth, several of the report's findings are inaccurate and do not support the conclusion. Finally, the systematic review program's problems identified in the GAO report are susceptible to solutions within NARS or in cooperation with other agencies.

Thank you for giving us this opportunity to express our views for the proposed draft report. If you would like more information from us on the matter, Edwin A. Thompson, Director of the Records Declassification Division of NARS is available to discuss the report in further detail with Mr. Boker of your office.

Sincerely,

JAMES E. O'NEILL
Acting Archivist
of the United States

Enclosure

APPENDIX I

National Archives and Records Service

RESPONSE TO THE DRAFT GAO REPORT, "SYSTEMATIC REVIEW FOR DECLASSIFICATION OF NATIONAL SECURITY INFORMATION--DO BENEFITS EQUAL COST"

I. THE FREEDOM OF INFORMATION ACT AND/OR MANDATORY REVIEW PROVISIONS OF E.O. 12065 ARE INADEQUATE SUBSTITUTIONS FOR SYSTEMATIC REVIEW.

The draft report assumes that materials of interest to historical researchers and others can be made available more cost effectively through reliance on mandatory review procedures and/or the Freedom of Information Act than through the systematic review program. The National Archives and Records Service does not accept the premise that the perceived cost-effectiveness should be the sole or even the primary measure of the program's worth. However, if we were to accept cost-effectiveness as the basis for evaluating the program, we remain unconvinced that mandatory review and Freedom of Information Act (FOIA) requests provide acceptable alternatives.

If systematic review were eliminated, we believe that access to classified information would be curtailed. Sound research methodology by serious scholars requires general access to the records potentially concerning their subject of research. To fully explore a research topic, a researcher requires comprehensive access to the records, i.e., to examine the records with minimal constraints. The researcher frequently does not know specifically what is available relating to his/her topic and would, therefore, find it extremely difficult, if not impossible, to initiate specific FOIA requests. When told that the files are closed because they are classified and that he must specifically identify the documents he wants released, the researcher becomes frustrated and angry at a Government that preaches openness but does nothing positive to make that happen. Researchers are also frustrated by the time delays associated with the FOIA and mandatory review processes. Only the most persistent researcher without publication or

APPENDIX I

other deadlines can consider researching a post-1950 topic involving classified records using the Freedom of Information Act and the mandatory review provisions of E.O. 12065.

As the agency primarily concerned with scholarly access to the Government's permanently valuable records, we are keenly aware of the negative impact of closed records. It was this experience which led us in 1971-72 to propose the systematic review of the vast quantity of World War II records in our custody. We championed the inclusion of the principle of systematic review, which became an important part of E.O. 11652, in 1972 because we knew that thorough historical research was not possible as long as the records remained classified.

Since 1972 about 250,000,000 pages of pre-1950 records, formerly closed because they contained classified information, have been systematically reviewed and declassified. Research and scholarship in the history of this period have developed in directions which were impossible a decade ago. To cite just one example, during the past 9 months nearly 200 requests were submitted by researchers for over 1,000 cubic feet of records created by SCAP and OMGUS, the U.S. occupying authorities in postwar Japan and Germany. Systematic declassification review of the 18,000 cubic feet of these records was completed just a few years ago. We are confident that this flourishing research would not have been undertaken if the records had not been systematically reviewed and made available for research.

We firmly believe that the encumbrances surrounding access to classified records has a very real chilling effect on serious research. Articles and books on the post-1950 period are not being written because access to the necessary records is so difficult. We also know that research based on documents released through the Freedom of Information Act and mandatory review process is frequently flawed because it is based only on fragments of information, rather than the complete record. Researchers are unable to synthesize

and place in historical perspective the bits of information made available to them. The inevitable result is an uninformed or misinformed public.

While systematic review does not result in declassification of everything examined, it does ensure that 80%-95% of most records are released and allows the researcher to better appraise for himself the significance of items being withheld. The National Archives' experience has been that most researchers are fully satisfied with the records released under the systematic review programs and only infrequently request another review of documents initially denied. We believe that researchers will strongly oppose conducting their research entirely within the confines of FOIA or mandatory review.

II. THE DRAFT REPORTS' CONCLUSION TO END SYSTEMATIC REVIEW IS NOT PERTINENT TO THE FINDINGS.

A. Systematic review for declassification of all 20-year-old permanently valuable material will not be accomplished by December 1, 1988. It is true that NARS cannot reach this objective with the present level of resources. However, this is irrelevant to the question of whether the systematic review program should be continued or terminated. Even though present resources are inadequate to reach the goal of reviewing all permanently valuable classified records by 1988, NARS will be able to systematically review and declassify the greater part of approximately 250 million pages of historically significant documents by 1988. It seems illogical to us to conclude that because all permanently valuable classified records will not be systematically reviewed by 1988 that the program should be terminated, thereby ensuring that none of the records are systematically reviewed.

The problem of ensuring that records schedules are developed for all agencies' records is one which we are well aware. While we do not argue with the fact that some agencies may not be adhering to good records management practices, the fault does not lie with the systematic review program. This is surely a case of putting the cart before the

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horse. But the blame for this inadequacy rests on the failure of agencies to schedule their records. Whether it is the fault of poor records management or the lack of agency personnel to do the job, the fact remains that the report would have better addressed this facet of declassification if it had forcefully recommended greater agency attention to records scheduling. Recommending the abolition of systematic review instead is completely illogical.

NARS will continue to work with the agencies to accelerate the development of records schedules, to appraise records, and to accession them into the National Archives. NARS will also reappraise previously accessioned classified records to ensure their continuing value before they are reviewed for declassification. While we recognize that these steps must be taken to guarantee that only permanently valuable records are systematically reviewed, they are not germane to the question of whether systematic review should be continued.

B. Most post-1950 classified information will require costly and time consuming page-by-page review. We agree. Only a small portion of the post-1950 record files thus far surveyed have proven susceptible to quick "bulk" declassification action. But, however small that portion, this procedure is the most cost-effective method for declassification and we would lose this capability if the systematic review program is discontinued.

In a number of cases researcher requests have caused us to examine on a page-by-page basis records we might have been able to "bulk" declassify if we had been able to delay declassification review until the foreign government information in the files was 30 years old. If records have not been requested by a researcher, we can and do defer declassification action until the passage of time eliminates this impediment to bulk declassification.

Of greater concern are agency guidelines which require NARS reviewers to identify and withhold for agency action a significantly larger percentage of the documents examined than was true for pre-1950 classified information. This is the direct result of the continuing sensitivity today of many issues and programs which first arose during this period. The undeniable consequence is that it takes longer and that it is, therefore, more costly to systematically review more recent records. But we can, by better management of the NARS review program, by better coordination of potentially sensitive information with agency specialists, and by joint efforts to improve the guidelines, ensure a more efficient and consistent systematic review effort. These are real problem areas warranting closer and continuing attention by NARS and all of the agencies with whom we work. We do not agree, however, that because the declassification review of more recently dated records is slower and more costly, that the entire systematic review program should be discontinued.

C. The present review program is costly and results in the systematic review of much information not requested by the public. NARS does not accept the GAO's conclusion that systematic review is not necessary because researchers have to date only examined approximately 10% of the documents declassified. The purpose of archival appraisal is to designate a universe of documents from which researchers will select portions for examination. If researchers were already examining all of the documents appraised as permanently valuable, then clearly the archivists involved have failed to identify a large enough universe.

Our experience has shown that research interests change with time. Trends in scholarship change over time, resulting in the examination of records which were not in demand 20 or even 10 years ago. Systematic declassification review results in rapid and cost-effective release of information in advance of the changing demand. Surely these anticipatory reviews do not justify the demise of the program.

NARS also cannot accept the GAO's interpretation of the figures used in the table on page 24 of the draft report. The estimate of the number of pages reviewed in a given year as a consequence of direct public requests is part of the ZBB presentation. It represents the minimum effort involved if no systematic review program were conducted that particular year. Our estimated resource requirement to meet these public demands represents about 15% of the Records Declassification Division's present budget. But if systematic review were discontinued indefinitely and the backlog of classified records grew, the demand by researchers for release of classified information will easily double within 5 years. Within a decade we might well be spending as much to respond to public requests as we are now devoting to the entire systematic review program.

But the immediate real cost of the proposed termination of systematic review would be the chilling effect on research into our recent past, and the growth of a large accumulation of permanently valuable records which are not available to the public. Sooner or later this mass of classified records would have to be acted upon or the National Archives would soon become a storage vault of largely unavailable information. The Government and the researcher community found such a situation intolerable in 1972. The situation should not be allowed to develop again.

D. Some classified documents have been reviewed a number of times before being made available to the public. Re-reviews of classified records are helpful and in some cases absolutely essential. Some agencies have reviewed records prior to their accessioning into the National Archives or prior to their systematic review by NARS personnel. These agency reviews, which largely concentrate on intelligence files, identify documents which are still sensitive, which enables NARS to proceed rapidly through the review of the classified information originated by other agencies.

We agree that some of the early efforts by agencies to review their records were unsatisfactory and required wasteful total re-review. The early problems encountered

(including review of records later determined to be non-permanent) have been overcome through closer inter-agency coordination. The ongoing agency reviews are proving to be helpful because they greatly increase the speed with which NARS can act on certain files, and they eliminate the need for NARS to identify potentially sensitive documents and refer them to agency specialists.

A total re-review of the documents withheld between 1972 and 1978 has resulted in the declassification and refiling of about half of the records originally withdrawn. This is largely the result of the development of new guidelines and the completion of agency coordination. The overall result has been the release of several million pages of records once thought to be sensitive and is a strong argument for periodic re-reviews.

Finally, some records withdrawn from the files under the systematic review procedures are subjected to a further review when specifically requested by a researcher. In such instances the requester has determined from the description available that the specific document is pertinent to his research. Requests of this type represents less than 2% of the records presently being reviewed at the specific request of researchers. Clearly, most researchers are well satisfied with the product of systematic review.

E. Internal review of the NARS declassification operation have not been made. This is a valid criticism and one which will be rectified. NARS is committed to an efficient and effective program aimed at the rapid declassification review of the Government's permanently valuable records. The problems addressed by the GAO examiners will be among those matters covered in a further review of the entire program.

III. SEVERAL OF THE DRAFT REPORT'S FINDINGS ARE INACCURATE OR MISINTERPRETATIONS OF THE FACTS.

A. NARS custodial divisions should again do declassification reviews on

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request. The GAO report correctly notes that prior to the issuance of E.O. 11652 in 1972 the NARS custodial units performed such declassification reviews as were done. In truth, however, the declassification effort in NARS was severely limited. A few agencies made declassification decisions and transmitted that information to NARS. NARS' role was merely to mark the documents declassified. Most records, no matter how old, were unaffected and the custodial divisions routinely transmitted the request to the responsible agency for action. Declassification guidelines as we know them today were unheard of before 1972.

Declassification review has become a specialized activity requiring training and experience for its successful accomplishment. The most effective training is to work with those already experienced in applying the guidelines, and particularly to work alongside the agency declassification review specialists. New problems, new interpretations of guidelines, and agency instructions are a constant matter for the attention of all reviewers. Expertise in declassification of the records of a single agency is not sufficient, as classified information from a large number of agencies is regularly encountered in most reviews. NARS' experience over the past 8 years convinces us that the development of declassification review expertise is the key to proper and consistent declassification decision making. We are certain that this can best be obtained by concentrating this specialized function in a single organization working on a regular basis with agency declassification review specialists.

Since 1972 the Congress has appropriated funds to NARS for the specific purpose of systematically reviewing classified records. These funds were not intended for the review of unclassified or declassified records for public release (a normal part of the NARS custodial units' work). For these reasons and for good management of the especially appropriated funds, we do not believe that this activity should be disbursed among the NARS custodial units.

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B. NARS survey estimates of pages declassified were increased. NARS is taking steps to ensure that any changes in original estimates are fully documented and justified. The Records Declassification Division Director issued a memorandum to all Branches on February 29, 1980, immediately after this matter was brought to his attention by the GAO auditors. In the future, any change of the percentage estimate must be explained, recorded, and signed by the Branch Chief on the document involved.

C. Discrepancies in statistics compiled by NARS and reported to the Ovesight Office. The NARS program statistical reporting form (GSA Form 7096) was revised in 1972 to account for systematic review work performed. The key statistic is "Declassification Completed" which counts the number of classified pages in the material examined which was declassified as a result of "bulk declassification" action or page-by-page review. However, this figure was available only when the NARS review of a block of records was completed following agency examination and determination by an agency head that the information withheld required continued classification beyond 30 years. In many instances, review projects were begun in one year and not completed until the next year.

The inadequacy of this figure as a basis for reporting work completed at the end of a calendar year for the Interagency Classification Review Committee's annual report was readily apparent. The Director of the NARS Records Declassification Division, therefore, made the best estimate he could of the accomplishments of the entire systematic review program in his unit, in custodial units, and in the Presidential libraries. The figures reported to the ICRC were total pages reviewed and the percent declassified. Because of its inadequacy for ICRC reporting purposes, the figures shown on the GSA Form 7096 were never used as the basis of the NARS report to the ICRC.

Revision of the statistical reporting form along the lines suggested by the GAO has already been approved and will be used beginning in FY 1981. But the most significant

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changes have been brought about by internal procedural decisions which will assure that review projects are completed in a timely manner and that reports input into the computer will be used for statistical analysis and monthly compilation. Beginning in FY 1981, NARS expects to be able to report the total number of pages examined, how many of these were classified pages, how many were withheld, and consequently how many classified pages were declassified.

IV. THE DRAFT REPORT FAILS TO CONSIDER REMEDIES LESS DRASTIC THAN ABOLISHING SYSTEMATIC REVIEW IN ITS ANALYSIS OF THE PROGRAM'S PROBLEMS.

Although we do not agree with a number of the report's findings per se, we do believe that the report does raise some valid questions. We will cite some of the specific problems with systematic review referred to in the report and suggest some specific remedies, or at least avenues to pursue, which we believe the report should have considered, rather than simply calling for its abolition.

The draft report states that only a small percentage of records made available to researchers are actually used by researchers and, therefore, the cost of making records available does not equal perceived benefits. Even if we were to assume the fact that not all systematically reviewed material is actually used by researchers, that fact is not the fault of systematic review. Rather, if there are too many records in the universe under review, the fault rests with the appraisal criteria or the application of these criteria used to determine what in fact is historically valuable. To be sure, the era of United States history currently undergoing review was by its very nature conducive to the creation of materials considered to be permanently valuable. It should also be recognized that information in the National Archives is preserved for use by present and future researchers and that over time, historical interests and emphasis changes. Records that are being researched now may not be as heavily used in the future, while records which are little used currently may be primary sources for future research. It seems far more

reasonable that if a problem does exist it is remedied more effectively and far less drastically by a systematic reappraisal of the pertinent records series before systematic review is conducted. NARS, working closely with the agencies, is undetaking further close examination or reexamination of records prior to their accessioning or declassification review.

Another example pertains to the report's emphasis on NARS declassification staff turnover as one of the major problems of operating an efficient systematic review program. While staff turnover is an operational problem, it is surely not a proper index for determining the validity of the program itself. To a large extent, the personnel turnover is the result of present hiring practices. First, for many of these employees, this is their first full-time job. Second, the constant review of records on a regular basis is tedious and often boring work. Finally, promotion potential is limited. The solution to employee turnover is surely not to abolish these positions entirely.

The management of NARS is reexamining its hiring policies for personnel engaged in this type of systematic review. Under consideration is the possibility of hiring on a part-time basis retired experts from those agencies who classify large quantities of information. This would result in an employee mix that would reduce turnover while simultaneously blending youthful energy and enthusiasm with the wisdom of experience.

CONCLUSION

The systematic review of security classified records of historical value is, in our view, an essential part of this Government's commitment to openness. This commitment cannot be adequately met by piecemeal releases resulting from FOIA and mandatory review requests. Further, processing these individual requests is many times more expensive than the costs incurred in routine systematic review.

We are opposed to reverting to the conditions which prevailed in the National Archives

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before 1972 as recommended in this draft report. Several of the problems identified by the GAO examiners will receive immediate management attention in NARS. However, we cannot accept the draft report's conclusion that this important and publicly valuable program ought to be terminated because of a number of relatively minor problems which are susceptible to solutions within NARS and the other Federal agencies.

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General Services Administration
Information Security Oversight Office
Washington, DC 20405

June 26, 1980

Mr. R. W. Gutmann
Director
Logistics and Communications Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Gutmann:

Thank you for the opportunity to review and reply to the draft of a proposed General Accounting Office report entitled, "Systematic Review for Declassification of National Security Information -- Do Benefits Equal Cost?" In my capacity as Director of the Information Security Oversight Office (ISOO), I am pleased to enclose a response on behalf of the Administration. I understand that several of the agencies to which you referred the draft report may be responding directly to you with their individual comments.

Because of our significant problems with the draft report, I would be more than happy to meet and discuss it with you or members of your staff at any mutually convenient time or place. I am convinced that our objectives are basically the same, and that we can ultimately agree to the approaches we should pursue to attack the problems that exist within the systematic review program. I would also appreciate the opportunity to review and comment upon any future draft of the GAO report. I can be reached at 633-6880.

Sincerely,

Steven Garfinkel

STEVEN GARFINKEL
Director

Enclosure

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ISOO'S RESPONSE TO THE DRAFT
OF A PROPOSED GAO REPORT ENTITLED,
"SYSTEMATIC REVIEW FOR DECLASSIFICATION OF NATIONAL
SECURITY INFORMATION -- DO BENEFITS EQUAL COST?"

The General Accounting Office (GAO) has submitted to several agencies of the executive branch for their review and comment a draft of a proposed GAO report entitled, "Systematic Review for Declassification of National Security Information -- Do Benefits Equal Cost?" The draft report concludes that the systematic review program established in Section 3-4 of Executive Order 12065 is not cost-effective, and, therefore, should be abolished by an amendment to the Order. The Administration strongly opposes the conclusions and recommendations of the draft report.

GAO's examination of the systematic declassification review program is potentially of great assistance to the executive branch in its efforts to implement this program effectively and efficiently. To be sure, a number of problems identified by GAO in its present draft are real and must be remedied, if the program is to achieve its objectives in a more meaningful way. The Administration fully supports such exploration. For example, there is no doubt that systematic review is costly and burdensome to the agencies that must implement its requirements. To improve the productivity of the system would benefit both the government and the public. To this end the draft report makes a number of observations about the costs associated with the present system which demand and will receive our attention.

Nevertheless, the present draft falls far short of its potential for constructive criticism. Despite a lengthy examination of systematic review, the draft report largely ignores any criteria other than cost in evaluating the program. Far more disturbing, however, are the report's recommendations, which we contend are unnecessarily drastic and largely insupportable. We are convinced that the effectuation of these recommendations would result in an irreversible public disservice. Above all other concerns, we urge that the final report seek remedies which fit the legitimate problems associated with systematic review rather than simply calling for its abolition.

In our view, the shortcomings of the draft report are threefold: First, its failure to address or evaluate the public policy of open government as a product of systematic declassification review; second, its conclusion that the Freedom of Information Act (FOIA) and/or agency mandatory review procedures are adequate substitutes for systematic review; and, finally, as alluded to above, the recommendation that systematic review be abolished without any consideration of alternative and less drastic solutions to the problems identified in the report.

I. One of the greatest shortcomings of the draft report is its one-dimensional scope. It focuses only on the cost of conducting the systematic review program. It ignores both the tangible and intangible benefits that accrue from a program that is one of the cornerstones of the public policy frequently referred to as "open government." The importance of the systematic review program cannot be appreciated without taking into consideration its philosophical and even psychological purposes.

In its laws and policies regarding public knowledge of governmental activities, the United States is unique among nations. No other nation promotes the public availability of information through statutes such as the Freedom of Information Act, the Privacy Act, the Government in the Sunshine Act, and the Federal Advisory Committee Act. The value of these laws is not limited to the knowledge gleaned from their usage. The right to know is at least as valuable, since this principle stands as one of the hallmarks of our democratic institutions. In the same manner, systematic review establishes the people's right to know for one of the most sensitive of areas, that to which we sometimes refer as "state secrets."

Systematic review establishes the principle that an open society cannot tolerate the permanent or indefinite closure of historically valuable records. Moreover, by establishing a finite period of restriction, systematic review helps to offset the perception held by many of a security classification system abused by government officials intent on hiding their mistakes behind the cloak of secrecy. The abolition of systematic review would lend further credence to this perception, severely damaging the public credibility that is necessary for the system to remain viable.

As a practical matter the abolition of systematic review at this time will doom vast quantities of records adjudged by records appraisers to be permanently valuable to the opposite fate -- permanent closure. GAO's own statistics would indicate that substitute declassification procedures are able to handle the review of approximately 2 million pages of classified materials annually. Even understaffed, systematic review results in the annual review of approximately 24 million pages. Assuming reasonably constant staffing levels, the absence of systematic review will leave over 20 million pages of additional unreviewed records each year. Within a few years the stack of unreviewed documents would become so vast as to be outside the government's ability to process them.

This is not a program whose price tag will ever be measurable in the same terms as one which deals in goods or services. The Freedom of Information Act is enormously expensive to implement, dwarfing the cost of systematic review. Its primary beneficiaries are most often vested commercial interests, not the research community or the general public. Do these factors warrant its repeal? We daresay not, just as we contend that systematic review must also be retained for the principles it espouses.

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11. The draft report assumes that materials of interest to historical researchers and others can be made available more cost effectively through reliance on mandatory review procedures and/or the Freedom of Information Act rather than through the systematic review program. We do not believe that these procedures are adequate substitutes.

First, the absence of systematic review would effectively eliminate bulk declassification. No matter how much the percentage of bulk declassification may decline, it will always remain the most cost-effective means of declassification. Further, without a systematic review system, it will be virtually impossible to explore other avenues of promoting the most expeditious declassification of large quantities of records.

Second, compared to systematic review the costs of processing FOIA or mandatory review requests for similar quantities of materials are enormous. The report proposes to shift the burden of gaining access to the government's older classified documents to the mandatory review and FOIA process without adequately investigating the costs associated with those programs. We believe that a more thorough investigation of program costs would show little if any savings to the government by substituting mandatory review and the FOIA for systematic review. To the contrary, it is our belief that a more in-depth analysis of the alternative approach proposed in the report will show it to be a more costly approach. Very many, if not most, FOIA and mandatory review requests require the input of high level agency officials. Intricate denial and appeal procedures frequently extend the processing period over several months or even years. Although we have no way to predict, nor does the draft report examine, how great an increase in the number of mandatory review and FOIA requests would result from the elimination of systematic review, we believe it would be substantial. Most researchers of formerly classified records rely almost exclusively on systematic review to provide a universe of records from which to select portions for examination. The demise of systematic review as recommended by the draft report will inevitably result in an ever-expanding backlog of classified records, thereby forcing significantly greater numbers of researchers to turn to the more costly mandatory review and FOIA processes. Moreover, the personal costs to the researcher will be significantly higher in terms of expenses and delays if forced to rely on the highly regulated procedures of FOIA or mandatory review rather than systematic review.

Finally, in dismissing the singular significance of systematic review in providing a more complete universe of materials for examination, the draft report fails to show any understanding of research methodology. A researcher begins by selecting a rather broad research topic, reads all of the secondary sources related to the topic, determines which records may offer fruitful areas of investigation, and begins the laborious task of sifting through thousands of documents to identify those pertinent to his research. A researcher seldom, if ever, begins the research knowing what documents exist that will prove essential or useful to the project. Because of this basic research methodology, many researchers working on the more recent historical period (post-World War II) have come to rely on the product of systematic review to enable them to identify theparameters of their research.

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Access to records declassified under systematic review often provides researchers with leads to other documents which may not yet be declassified. Often records can be requested under mandatory review or FOIA because the researcher has discovered enough information in the records opened through systematic review to permit the identification of other related documents. Without the interplay of systematic review and mandatory review or FOIA, researchers will find the conduct of their research much more difficult. There will be far less assurance that the researcher will have access to even a significant portion of pertinent records. Scholarship will necessarily suffer.

III. The most disturbing feature of the draft report is its extremely simplistic solution to theproblems associated with systematic review; namely, the abolition of the program. Overlooked are far less drastic solutions that are compatible with the identified problems.

For example, the draft report cites as a failing of systematic review the fact that it is unlikely that the agencies will catch up with the 20-year review date by 1988, as mandated in the Order. While this may be true, it is not logical to suggest that systematic review is both the cause and effect of a failure to meet the time requirements. Rather, the cause is a combination of three factors for which far less drastic remedies might be appropriate: the lack of sufficient resources; the inefficient use of existing resources; and, an overoptimistic projection of the time requirement.

Similarly illogical are those portions of the report wh ch call for the abolition of the program in response to problems of records appraisal, records scheduling, duplications of review efforts, and personnel turnover. In each case, there appear to us to be reasonable solutions or mollifiers which the draft report ignores in favor of destroying the program.

CONCLUSION

In signing Executive Order 12065, President Carter stated:

> While some material must be classified, the government classifies too much information, classifies it too highly, and for too long. These practices violate the public's right to know, impose unnecessary costs, and weaken protection for truly sensitive information by undermining respect for all classification.

Two years later, these words are just as valid as they were then. Yet, the proposed draft GAO report calls for the abolition of one of the primary programs designed to minimize the abuses of the classification system. Most significantly, it calls for the abolition of a system that only two years ago received the endorsement of the President, the Congress and the public.

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The Administration continues to endorse systematic review. We suspect we are not alone in this endorsement. At the same time, however, we are aware that much needs to be done to make the program work more economically and more productively. The GAO inquiry into systematic review can be a positive step in this direction. The abolition of systematic review is not, however, a positive step -- it is a step backward that jeopardizes the credibility of the security classification system.

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